



## **SPECIAL LAND USE REVIEW PROCESS AND STANDARDS**

**REVIEW PROCESS:** Review and action on Special Land Use requests involving West Branch Township, Ogemaw County, Michigan are as follows:

1. The application for Special Land Use, legal description, seven (7) copies of a detailed site plan, a statement of compliance with the criteria required for approval in Section 8.5 and other criteria imposed by the Township Zoning Ordinance affecting the Special Land Use under consideration, must be submitted to the Planning Commission Clerk. **All materials must be submitted before noon (12:00 p.m.) on the first Thursday 15 days prior to the scheduled meeting. (First Tuesday of each month).**
2. Applicant must contact the Township Zoning Administrator/Supervisor and make arrangements to present the application for Special Land Use to the Planning Commission.
3. The Planning Commission will conduct two (2) meetings regarding the application. The first meeting will be a preliminary review of the submitted application at which time the Planning Commission will review all information, site plan, and any supporting documentation. The request will be discussed with the applicant. **It is strongly recommended that the applicant or a representative be present at the preliminary review to ensure all information necessary is obtained to be presented at the public hearing in order to avoid unnecessary delays.**
4. The application fee of four hundred dollars (\$400.00) is due immediately following the preliminary review. Any changes, additions, or other information required by the Planning Commission at the preliminary review must be provided by the applicant and resubmitted to the Planning Commission Clerk in a timely manner to allow sufficient time for review and preparation prior to the next scheduled meeting.
5. Provided sufficient information and fee has been submitted, the Planning Commission will conduct a public hearing concerning the request at the next regular meeting (1<sup>st</sup> Tuesday of each month). Following deliberations, usually at the same meeting, the Planning Commission will take necessary action on the proposed request. Such action will be approved, deny, or approve with conditions/stipulations.
6. If the proposed development required a variance from any provisions of the Township Zoning Ordinance, a variance request shall be brought before the Zoning Board of Appeals (ZBA) before any action will be taken by the Planning Commission.

**REVIEW STANDARDS:** Some land uses, because of their unique characteristics, may not be appropriate in all locations within a given zoning district. In making their respective decisions, the Planning Commission must follow the general standards prescribed by the Township Zoning Ordinance Section 8.7 and any other specific standards that may be established in the Ordinance for a specific use.

It is the responsibility of each applicant, applying for a Special Land Use permit, to demonstrate that the following standards are met:

- A. The Planning Commission shall review the particular circumstances of the application under consideration in terms of the following standards, and shall approve a Special Land Use application only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in the Township Ordinance:
1. *The Special Land Use shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and surrounding area.*
  2. *The Special Land Use shall not change the essential character of the surrounding area.*
  3. *The Special Land Use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to the health, safety or general welfare of persons or property through the creation of hazardous or potentially hazardous situations or the excessive production of traffic, noise, smoke, dust, fumes or glare.*
  4. *The Special Land Use shall not place demands on public services and facilities in excess of current capacity.*
- B. The Planning Commission may impose conditions with the approval of a Special Land Use which are necessary to insure compliance with the standards contained in the Township Ordinance. Such conditions shall be considered an integral part of the Special Land Use application and shall be enforced by the Zoning Administrator.
- C. If, after establishment of the Special Land Use, the approved use is found not to be in compliance with the approval granted by the Planning Commission, said use shall have sixty (60) days to correct any infractions as determined by the Planning Commission. If infractions are not corrected within these sixty (60) days, the provisions of Section 8.13 shall be initiated.

#### **APPROVAL TERM AND EXPIRATION:**

- A. A Special Land Use permit approval shall be valid for one (1) year from the date of approval, with up to one (1) year extension, unless approval is revoked as provided in Section 8.13 or the Special Land Use has been initiated, or construction necessary for such use has been initiated and is proceeding meaningfully toward completion, in which case the approval shall remain valid indefinitely.
- B. If, by the end of this one (1) year extension period, the Special Land Use has not been initiated or construction necessary for such use has been initiated but is not proceeding meaningfully toward completion, the Special Land Use Permit shall be deemed expired and no longer valid, and any building permit shall be revoked.
- C. A Special Land Use approval, including conditions imposed, is attached to and shall run with the land for which the approval is granted, and shall be binding upon subsequent owners and all occupants of the subject land, and shall be recorded with the Ogemaw County Register of Deeds.
- D. Reapplication for approval of an expired Special Land Use Permit shall be considered in the same manner as an original application.

For more information or questions, please contact the Township Supervisor or Clerk at 989-345-5450.

## SPECIAL LAND USE PERMIT CHECKLIST

\_\_\_\_\_ COMPLETED APPLICATION

\_\_\_\_\_ COMPLETED LEGAL DESCRIPTION OF PROPERTY

\_\_\_\_\_ SITE PLAN SHOWING:

\_\_\_\_\_ Property lines with nearest bench marks

\_\_\_\_\_ Contour map with 2' contour lines and a 50' radius around the property

\_\_\_\_\_ Storm water management plan

\_\_\_\_\_ Location of all existing and proposed structures

IT IS ADVISABLE THAT YOU CONTACT THE GOVERNMENTAL AGENCIES LISTED BELOW. THEY MAY HAVE ADDITIONAL REQUIREMENTS WHICH WOULD BE IMPOSED ON THIS REQUEST. IF A PERMIT IS REQUIRED, A SIGNED APPROVED COPY **MUST** BE SUBMITTED TO THE TOWNSHIP ALONG WITH THE APPLICATION.

MICHIGAN DEPT. OF TRANSPORTATION  
GRAYLING OFFICE  
888-811-6368

DISTRICT NO. 2 HEALTH DEPT.  
989-345-5020

DEPT. OF NATURAL RESOURCES  
517-335-3441, 989-686-8025

DEPT. OF ENVIRONMENTAL QUALITY  
989-686-8025

OGEMAW COUNTY RAOD COMMISSION  
989-345-0234

WEST BRANCH COMMUNITY AIRPORT  
989-345-1453